

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CAITLIN ATWATER, )  
Administratrix of the Estate )  
of Kathleen Hunt Peterson, )  
 )  
Plaintiff, )

v. )

Civil No. 1:04CV00503

NORTEL NETWORKS, INC.; NORTEL )  
NETWORKS U.S. DEFERRED )  
COMPENSATION PLAN; NORTEL )  
NETWORKS RETIREMENT INCOME )  
PLAN; and NORTEL NETWORKS )  
LONG-TERM INVESTMENT PLAN, )  
 )  
Defendants. )

ORDER and JUDGMENT

BULLOCK, District Judge

For the reasons set forth in the memorandum opinion filed  
contemporaneously herewith,

IT IS ORDERED that Defendants' motion for summary judgment  
[Doc. #28] is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's motion for summary  
judgment [Doc. #25] is **GRANTED IN PART**, leaving for determination  
only the factual issues surrounding Defendants' claims of waiver  
and estoppel.

  
United States District Judge

September 6, 2005